

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

DUBLIN DIVISION

TODD UPSHAW,)	
)	
Plaintiff,)	
)	
v.)	CV 317-029
)	
JACOB BEASLEY, Lieutenant,)	
)	
Defendant.)	

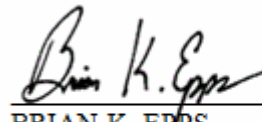
MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION

Plaintiff, an inmate formerly incarcerated at Telfair State Prison in Helena, Georgia, commenced the above-captioned civil rights case *pro se* and was granted permission to proceed *in forma pauperis* (“IFP”). On November 13, 2017, because Plaintiff was released from incarceration, the Court revoked his leave to proceed IFP and instructed Plaintiff to submit the filing fee or a new IFP motion within fourteen days from the date of its Order. (Doc. no. 24.) The Court cautioned Plaintiff that failure to respond would result in a recommendation to the presiding District Judge that this case be dismissed without prejudice. (See *id.*) The time to respond has passed, and Plaintiff has not submitted the documents required by the Court’s November 13th Order. Nor has he provided the Court with any explanation why he has not complied.

Plaintiff cannot proceed unless he submits the filing fee or a new motion to proceed IFP. Plaintiff has been warned that failing to return the necessary IFP papers or pay the fee would result in his case being voluntarily dismissed. As Plaintiff has neither fulfilled the

requirements for proceeding IFP, nor paid the filing fee, the Court **REPORTS** and **RECOMMENDS** this case be **DISMISSED** without prejudice and this civil action be **CLOSED**.

SO REPORTED and RECOMMENDED this 4th day of December, 2017, at Augusta, Georgia.

A handwritten signature in black ink, appearing to read "Brian K. Epps", is written over a horizontal line.

BRIAN K. EPPS
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA